THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.14216 OF 2006

DATED:13-07-2006

BETWEEN

V.Venkata Munaswamy

… Petitioner

and

The District Collector, Chittoor District, Chittoor and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.14216 OF 2006

ORDER:

The petitioners are residents of T.Rangampeta Village in Puthalapattu Mandal of Chittoor District. Land admeasuring Acs.3.65 cents in survey No.299/03 was assigned to one Doniparthy Venktramaiah Chetty in 1963. The petitioners admittedly purchased the property in 1973. The third respondent after issuing notice in Form-I under Rule 3 of A.P. Assigned Lands (Prohibition of Transfers) Rules, 1977, cancelled the assignment and ordered resumption for contravention of Section 3(2) of the A.P. Assigned Lands (Prohibition of Transfers) Act, 1977. Feeling aggrieved by the said order, dated 21.12.2005, the petitioners preferred an appeal on 19.06.2006 and they also prayed for stay of the orders of the third respondent. As the said application is not taken up, the present writ petition is filed.

It is no doubt true that a quasi-judicial authority having regard to the circumstances of each case has to take a decision within a reasonable time. What would be the reasonable time cannot be subject to straightjacket formula. When the petitioners were allegedly in possession from 1973 and such an averment is made in the appeal, the second respondent ought to take up the application immediately. Merely because the second respondent did not take up the application for stay, the same cannot be a ground for entertaining the writ petition. Therefore, this Court is not inclined to go into the validity of the order passed by the third respondent, dated 21.12.2005. The petitioners may approach the second respondent with a copy of this order and

press for orders for stay.

The writ petition, with the above observation, is accordingly dismissed. No costs.

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(V.V.S.RAO,J)

13.07.2006
pln